

ASSEMBLY BILL

No. 966

Introduced by Assembly Member Saldana

February 18, 2005

An act to add Article 2 (commencing with Section 105336) to, and to add a heading as Article 1 (commencing with Section 105325) to, Chapter 6 of Part 5 of Division 103 of, the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 966, as introduced, Saldana. Dental amalgam.

Existing law establishes the State Department of Health Services and sets forth its duties and responsibilities, including, but not limited to, the protection of the environment from toxic chemicals and the protection of the public from unsafe medical devices.

This bill would require the department to adopt regulations establishing standards regulating the discharge of mercury and other byproducts related to the use of amalgam in the process of providing dental and related services, and related to supplying those who provide the services and would require that the best available technology be used to ensure that the highest possible percentage of mercury is removed from wastewater prior to discharge. The bill would preclude health insurance coverage or health care service plans entered into or amended on or after January 1, 2006, from denying insurance coverage for amalgam alternatives based upon the cosmetic aspects of the alternatives.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. A heading is added as Article 1 (commencing with Section 105325) is added to Chapter 6 of Part 5 of Division 103 of the Health and Safety Code, immediately preceding Section 105325, to read:

Article 1. Bloodborne Disease Exposure Prevention

SEC. 2. Article 2 (commencing with Section 105336) is added to Chapter 6 of Part 5 of Division 103 of the Health and Safety Code, to read:

Article 2. Dental Amalgam

105336. (a) The Legislature finds and declares that amalgam waste released into the environment is harmful to the environment and presents a danger to the public health.

(b) The department shall adopt regulations establishing standards regulating the discharge of mercury and other byproducts related to the use of amalgam in the process of providing dental and related services, and related to supplying those who provide the services.

(c) The regulations shall require that a person supplying or using mercury in the process of providing dental and related services use the best available technology to ensure that the highest possible percentage of mercury is removed from any wastewater prior to discharge from his or her facility.

105337. An insurance contract for health care coverage, a health care service plan, or a specialized health care service plan contract entered into, amended, or renewed, on or after January 1, 2006, shall not deny coverage or reimbursement for the use of alternatives to amalgam based upon the cosmetic aspects of the alternative.